

S.B.CRIMINAL MISC. BAIL APPLICATION NO.5500/2007
(Pradeep Sharda vs. State of Rajasthan)

DATE OF ORDER : November 19, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Dron Kaushik for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public
Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioner
that the alleged diesel was being carried for the use of
agriculture purpose and the petitioner is an agriculturist.

Be that as may, without commenting on the merit of the
case, having regard to the facts and circumstances of the case
and having considered the oral arguments advanced by learned
counsel for the parties, I consider it just and proper to grant
anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under
section 438 Cr.P.C. is allowed and it is directed that in the event
of arrest of petitioner Pradeep Sharda s/o Purshottam Lal in FIR
No.356/2007, Police Station, Tibbi, Distt. Hanumangarh, he

shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

- (i) That he shall make himself available for interrogation by a police officer as and when required;
- (ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- (iii) That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-